

27.9.2021
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Allowed

CRM 11077 of 2020

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Garfa P.S Case No. 227 of 2019 dated 20.6.2019 under Sections 420/467/468/471 of the Indian Penal Code.

And

In the matter of: Debasish Roy
... Petitioner

Mr. Saumya Nag
Mr. Ayan Sharma
Mr. Aditya Tiwari For the Petitioner

Mr. Rudradipta Nandy For the State

It is submitted on behalf of the petitioner that the petitioner was on interim anticipatory bail.

Learned advocate representing the State has produced the case diary. It appears from the record that the petitioner did not appear before the trial court on the returnable date, warrant of arrest was issued against the petitioner.

Learned counsel representing the petitioner further submits that although there was an intention on the part of the petitioner to comply with the bail condition, but due to miscommunication he could not appear before the trial court on the returnable date and has pleaded mercy for the same.

Considering the order passed on 23rd July, 2019 and the materials available against the petitioner, as revealed from the case diary and the nature and extent of complicity of the petitioner in the alleged offence and also having regard to the fact that charge sheet has already been filed, we are of the view that further custodial interrogation of the petitioner may not be necessary.

In view thereof, the petitioner will be enlarged on bail upon furnishing security of Rs.10,000/-, with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer, Garfa Police Station.

In addition to the aforesaid, the petitioner shall surrender before the learned A.C.J.M, Alipore within four weeks from date and shall furnish security to the extent of Rs.1.5 lakhs either on cash or any other acceptable mode, if the said amount has not already been paid.

CRM 11077 of 2020 is thus disposed of.

(Rabindranath Samanta,J)

(Soumen Sen,J.)